

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

JEANETTE HADESTY,	:	
Plaintiff,	:	
v.	:	CIVIL ACTION NO. 3:14-2319
	:	(JUDGE MANNION)
RUSH TOWNSHIP POLICE	:	
DEPARTMENT, <i>et al.</i>	:	
Defendants	:	

**ORDER**

As set forth in the memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

- (1) The defendants' motion to dismiss the plaintiff's amended complaint, (Doc. [21](#)), is **GRANTED IN PART** and **DENIED IN PART**;
- (2) the defendants' motion to dismiss is **DENIED** with respect to the plaintiff's 42 U.S.C. §1983 claims for deprivation of his Fourth Amendment rights against defendants Sinton and Fort;
- (3) defendants' motion to dismiss the plaintiff's Pennsylvania state law claim for false imprisonment is **DENIED**;
- (4) the defendants' motion to dismiss Fourteenth Amendment claims is **GRANTED** insofar as plaintiff has asserted such claims;
- (5) defendants' motion to dismiss the plaintiff's malicious prosecution claim against defendants Sinton and Fort is **GRANTED**, and the

malicious prosecution claim is **DISMISSED**;

- (6) defendants' motion to dismiss claims for supervisory and municipal liability against defendant Ryan Township is **GRANTED**, and defendant Ryan Township o/a Ryan Township Police Department is **DISMISSED** from the case;
- (7) defendants' motion to dismiss Pennsylvania Constitutional claims is **GRANTED**, and, therefore, Count I of the plaintiff's complaint insofar as it includes claims for illegal search, illegal seizure, and malicious prosecution under Section 8 of the Pennsylvania Constitution is **DISMISSED**;
- (8) defendants' motion to dismiss the plaintiff's claims for punitive damages against defendant Ryan Township is **GRANTED**, and such claims are **DISMISSED**;
- (9) defendants Sinton and Fort are directed to file an answer to the remaining claims within 14 days of the date of this Order.

s/ *Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Date: March 15, 2016**

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